

**Notice of Allowability**

Application No.

10/518,046

Examiner

Lars A. Olson

Applicant(s)

GRIMALDI, MICHELE

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on May 10, 2006.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### Reasons for Allowance

1. An amendment was received from the applicant on May 10, 2006.
2. Claims 1-7 are allowed.
3. The following is an examiner's statement of reasons for allowance. The movable platform unit for a boat as claimed is not shown or suggested in the prior art because of the use of a platform unit that is comprised of a base portion, at least one swing arm that is pivotally connected at one end to said base portion and at another end to a loading platform, said at least one swing arm being rotatable by a first drive member, alignment means, and a second drive member that is fixed to said base portion, where said first drive member includes a pulley element that is secured to said at least one swing arm and is operable for rotation by a first chain drive means that is enclosed with said pulley element within at least one hollow fixed arm that is provided in a cavity in said base portion, and where said at least one swing arm can assume a closed position in which it lies flat within said cavity in said base portion.
4. The prior art as disclosed by Motorland Fahrzeugtechnik GmbH (DE 20117693 U1) shows the use of a movable platform unit for a boat, said platform unit being comprised of a base portion and at least one swing arm that is pivotally connected at one end to said base and at another end to a loading platform, said at least one swing arm being rotatable by a drive member, where said platform remains at a constant inclination to said base portion during rotation of said at least one swing arm. Said base portion is not shown or suggested to have a cavity into which said at least

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one swing arm assumes a closed position and lies flat within said cavity. Bozzo (US 6,182,598) and Ricci, Jr. (US 5,950,267) disclose movable stair assemblies for use with watercraft. However, none of the prior art cited shows or suggests the use of a movable platform unit for a boat, said platform unit being comprised of a base portion, at least one swing arm that is pivotally connected at one end to said base portion and at another end to a loading platform, said at least one swing arm being rotatable by a first drive member, alignment means, and a second drive member that is fixed to said base portion, where said first drive member includes a pulley element that is secured to said at least one swing arm and is operable for rotation by a first chain drive means that is enclosed with said pulley element within at least one hollow fixed arm that is provided in a cavity in said base portion, and where said at least one swing arm can assume a closed position in which it lies flat within said cavity in said base portion.

### ***Conclusion***


5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

lo

May 30, 2006

LARS A. OLSON  
PRIMARY EXAMINER

  
5/30/06